

BOROUGH OF ROSELAND
NEW JERSEY

DECEMBER 11, 2017
PUBLIC MEETING ROOM
19 HARRISON AVENUE
6:30PM EXECUTIVE SESSION
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

CALL TO ORDER & SUNSHINE STATEMENT

The December 11, 2017 Meeting of the Roseland Mayor and Council was called to order at 6:30 PM by Mayor Duthie. Adequate notice of the meeting was provided in accordance with the Open Public Meeting Act in that Notice of the rescheduled date, time and location of the meeting was published in the Star Ledger and The Progress, posted on the public bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

IN ATTENDANCE:

John Duthie, Mayor
David Jacobs, Councilman
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Michelle Tolli, Councilwoman
Thomas Tsilionis, Councilman (7:18 PM)
Mark Vidovich, Council President

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Jock H. Watkins, Borough Clerk
Ethan Jesse Sheffet, Borough Attorney

Councilman Jacobs made a motion at 6:31 PM to approve Resolution No. 325-2017 Approval to Close to Executive Session to discuss the following:

1. Personnel
2. Contract-Interlocal Agreement Construction Code
3. Water Sewer Reading and Billing Errors
4. Pedestrian Safety Study
5. FOP Contract Memorandum of Agreement
6. SOP Contract Memorandum of Agreement
7. Williams Transco-Motion to Intervene

Councilwoman Tolli seconded the motion and the motion was approved by a 5-0 voice vote (Tsilionis absent). Councilman Jacobs made a motion to open Executive Session. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Tsilionis absent).

Councilman Jacobs made a motion to close Executive Session and to return open session at 7:24 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. Mayor Duthie read the Sunshine Statement again at 7:30 PM and called the public meeting to order. Clerk Watkins called the roll with there being no changes.

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

PUBLIC COMMENT

Claudia Reis, 4 Cooper Avenue

PROMOTION AND SWEARING IN OF POLICE OFFICER

Councilman Jacobs made a motion to approve Resolution No. 343-2017 Appointment of Detective Lieutenant Livio Cioffi to the Position of Captain of the Roseland Police Department. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote, with Councilman Leonard abstaining from the vote.

Mayor Duthie administered the oath of office to Captain Livio Cioffi.

PRESENTATIONS

Mayor Duthie presented a proclamation to Kathy Pigott acknowledging Ms. Pigott's many volunteer community service efforts.

Mayor Duthie presented a proclamation to William B. Styskal Jr. on the occasion of his attaining the rank of Eagle Scout.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Clerk Watkins read **Ordinance No. 16-2017** for the second time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for replacement of police equipment in and for the Borough and appropriating \$43,000 to fund the same". Councilman Smith made a motion to open the public hearing on Ordinance No. 16-2017. Councilwoman Tolli seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 16-2017** for the third and final time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for replacement of police equipment in and for the Borough and appropriating \$43,000 to fund the same". Councilman Tsilionis made a motion to adopt Ordinance No. 16-2017. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 17-2017** for the second time: “An ordinance amending Chapter XIV of the Revised General Ordinances of the Borough of Roseland entitled “Parks and Recreation”. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 17-2017. Councilwoman Tolli seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilman Smith made a motion to close the public hearing. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 17-2017** for the third and final time: “An ordinance amending Chapter XIV of the Revised General Ordinances of the Borough of Roseland entitled “Parks and Recreation”. Councilman Jacobs made a motion to adopt Ordinance No. 17-2017. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 18-2017** for the second time: “Bond Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance Number 6-2017, finally adopted July 18, 2017 in its entirety. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 18-2017”. Councilman Smith seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilwoman Tolli made a motion to close the public hearing. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 18-2017** for the third and final time: “Bond Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance Number 6-2017, finally adopted July 18, 2017 in its entirety”. Councilman Jacobs made a motion to adopt Ordinance No. 18-2017. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 19-2017** for the second time: “Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance Number 12-2016, finally adopted October 18, 2016 in its entirety”. Councilman Smith made a motion to open the public hearing on Ordinance No. 19-2017. Councilman Jacobs seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 19-2017** for the third and final time: “Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance Number 12-2016, finally adopted October 18, 2016 in its entirety”. Councilman Smith made a motion to adopt Ordinance No. 19-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 roll call vote.

ADOPTION OF RESOLUTIONS

Resolution No. 328-2017 authorizing execution of a settlement agreement in the case of Gorman v. The Borough of Roseland was withdrawn from consideration. Resolution No. 343-2017 was approved earlier in the meeting. Councilman Smith made a motion to approve the remaining twenty resolutions and the one item on the Consent Agenda:

Resolution No. 326-2017 Approve 2018 Holiday Schedule

Resolution No. 327-2017 Approve 2018 Meeting Schedule

Resolution No. 329-2017 approving budget transfers

Resolution No. 330-2017 authorizing release of Payment No. 1 in the amount of \$33,250.00 to Standard Elevator for the elevator project at 140 Eagle Rock Avenue

Resolution No. 331-2017 approving the hiring of gym supervisors and time-score keepers for the Recreation Basketball Program

Resolution No. 332-2017 authorizing the Chief Financial Officer to transfer trust account balances to Current Fund Surplus

Resolution No. 333-2017 amending Resolution No. 64-2017 "Authorizing Funds for 2017 Planning Board Professional Services"

Resolution No. 334-2017 accepting the proposal from Maser Consulting in the amount of \$4,000.00 for a Community Impact Study

Resolution No. 335-2017 accepting the proposal from Maser Consulting in the amount of \$7,000.00 for a Traffic Impact Study

Resolution No. 336-2017 ratification of Salaries – November 2017

Resolution No. 337-2017 authorizing a two-year renewal of the Delta Dental Plan for the period from January 1, 2018 through December 31, 2019

Resolution No. 338-2017 approving the December 8, 2017 Bill List

Resolution No. 339-2017 approving the December 8, 2017 Open Space Bill List

Resolution No. 340-2017 authorizing the Chief Financial Officer to transfer \$226,000.00 from the 2017 budget to the Accumulated Absence Trust Fund

Resolution No. 341-2017 amending Resolution No. 52-2017 authorizing an increase of \$20,000.00 in the maximum amount of payment for services rendered by Hendricks Appraisal Services to a new amount not to exceed \$40,000.00

Resolution No. 342-2017 authorizing the transfer of ten (10) sick days from Chief Richard McDonough to Patrol Officer Mark Aue.

Resolution No. 344-2017 authorizing the Commercial Tax Appeal Attorney to settle tax appeals in the case of ALJ Realty Co., LLC v. Borough of Roseland for tax appeals pending in the Tax Court of New Jersey for the 2015 - 2017 tax years (with withdrawal of 2015) for Block 43, Lot 11 (152 Eagle Rock Ave., Roseland, NJ)

Resolution No. 345-2017 accepting the proposal from Maser Consulting in an amount not to exceed \$34,520.00 for Tax Map revisions

Resolution No. 346-2017 ratification of October – December bills

Resolution No. 347-2017 urging the New Jersey State Legislature to extend the 2% cap on Police and Fire arbitration contract awards

CONSENT AGENDA

Accept with Regret the Retirement of George Michael Piltzecker as the Water Sewer Foreman and Building, Grounds and Road Forman effective January 1, 2018

The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote with Councilman Leonard abstaining from the vote on Resolution No. 336-2017.

MAYOR'S REPORT

Mayor Duthie congratulated the West Essex Knights football team upon their winning the state football championship. Mr. Duthie reported that Williams Transco has filed an application with the Federal Energy Regulatory Commission (FERC) for expansion of the compressor station on Eagle Rock Avenue. Mayor Duthie announced that the annual Menorah lighting will take place tomorrow. Mayor Duthie wished everyone a Merry Christmas, Happy Hanukah, and a Blessed New Year.

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith reported that the recent snow fall on top of leaves has hindered DPW's final pass through town to collect leaves. Mr. Smith added that leaves should no longer be placed in the street, rather in bags and placed at the curb. Bags are available at DPW.

PUBLIC SAFETY

Councilman Jacobs reported that he will have an update on the new phone system at the January meeting. Mr. Jacobs wished everyone a Happy Hanukah, Merry Christmas, and Happy, Healthy New Year.

RECREATION

Councilman Tsilionis congratulated the West Essex Knights football team on their recent state championship. Mr. Tsilionis reported that the Environmental Commission would like to use remaining funds to purchase bat houses and bee houses, noting that bats are a natural means of controlling mosquitos. After discussion, Mr. Tsilionis made a motion to purchase bat and bee houses for an amount not to exceed \$1,000.00, or the balance of available funds in the budget. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote. Councilman Smith had temporarily left the room at the time of the vote. Mr. Tsilionis wished everyone happy holidays and a Happy New Year.

CAPITAL IMPROVEMENTS

Councilman Leonard announced that the annual Santa ride through town will take place beginning at 3:30 PM Sunday, December 16th. Mr. Leonard suggested that residents talk to their tax professionals regarding the changes to the federal tax law in 2018, noting that residents' should discuss the merits of pre-paying all or part of their 2018 property taxes.

PUBLIC AFFAIRS

Councilwoman Tolli reported that the Christmas tree lighting was held last week and the Menorah lighting will take place tomorrow. Mrs. Tolli congratulated West Essex High School on their receipt of a five thousand dollar (\$5,000.00) 2017 Science Education grant from BASF. Mrs. Tolli also announced that a couple of the tennis courts have been temporarily setup for pickle ball, a variation of tennis and hand ball. Mrs. Tolli also announced that the police department will continue collecting coats for their coat drive and toys for the Toys for Tots program through December 13th. Mrs. Tolli wished everyone a Happy Hanukah, Merry Christmas, and a Happy and Health New Year.

ADMINISTRATION & FINANCE

Councilman Vidovich reported that his committee has settled negotiations with the FOP and thanked the police department representatives for their gentlemanly negotiations, noting that the settlement is favorable to both parties.

Councilman Vidovich made a motion to adopt a resolution authorizing the Mayor to sign the new contract with the FOP Patrol Officers consistent with the Memorandum of Agreement. [*Resolution No. 348-2017*] The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote. Councilman Vidovich made another motion to adopt a resolution authorizing the Mayor to sign the new contract with the FOP Superior Officers consistent with

the Memorandum of Agreement. [Resolution No. 349-2017] The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Councilman Vidovich thanked the community for the opportunity to serve as a member of Council for the past seven years. Mr. Vidovich added that it has been a tremendous experience working with CFO Chumacas. Mr. Vidovich also thanked his wife and children for their support during his service, and wished everyone a Merry Christmas, a Happy Hanukah, and a Happy New Year.

APPROVAL OF MINUTES


Councilman Jacobs made a motion to approve the November 28, 2017 Council Meeting Minutes. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

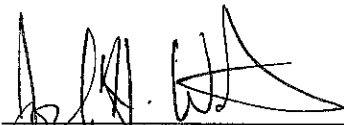
PUBLIC COMMENT

None

ADJOURNMENT

Councilman Tsilionis made a motion to close the meeting at 8:46 PM. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.



Mayor John Duthie

Jock H. Watkins, Borough Clerk

Approved: January 16, 2018

ROLL CALL

Aye: Bardi, Jacobs, Leonard, Smith, Tolli, Tsilionis
Nay: None
Abstain: None
Absent: None